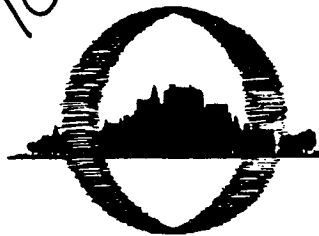


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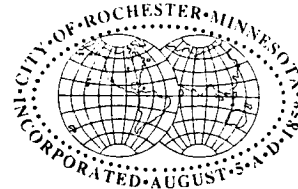
DATE: 4-7-03

<b>AGENDA SECTION:</b> PUBLIC HEARINGS	<b>ORIGINATING DEPT:</b> PLANNING	<b>ITEM NO.</b> E-2
<b>ITEM DESCRIPTION:</b> Amendment to the Harvestview Special District Ordinance and Re-zoning.		<b>PREPARED BY:</b> Brent Svenby, Planner
March 31, 2003		
<b><u>City Planning and Zoning Commission Recommendation:</u></b>  The City Planning and Zoning Commission held a public hearing on this item on March 12, 2003. Mr. Haeussinger moved to recommend approval of the amendments to the Harvestview Special District with staff-recommended findings. Ms. Petersson seconded the motion. The motion carried 8-0.		
<b><u>Council Action Needed:</u></b>		
<i>If the Council wishes to proceed with the amendment to the Special District, it should instruct the City Attorney to prepare the Ordinance accomplishing the rezoning to the Special District designation.</i>		
<b><u>Attachments:</u></b>  1. Staff Report dated March 6, 2003 2. Minutes of the March 12, 2003 CPZC Meeting ( <u>attached to the GDP RCA</u> )		
<b><u>Distribution:</u></b>  1. City Clerk 1. City Administrator 2. City Attorney 3. Planning Department File 4. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, April 7, 2003 in the Council/Board Chambers at the Government Center, 151 4th Street SE. 6. McGhie & Betts, Inc.		
<b>COUNCIL ACTION:</b> Motion By: _____ Seconded By: _____ Action: _____		

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**ROCHESTER-OLMSTED PLANNING DEPARTMENT**

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF  
*Olmsted*

**TO: City Planning and Zoning Commission**

**FROM: Brent Svenby, Planner**

**DATE: March 6, 2003**

**RE: Proposed Amendment to the Harvestview Special District (SD-12).**

**Background and Summary:**

In order to permit a more flexible means of new land development and redevelopment, the Rochester Zoning Ordinance and Land Development Manual includes regulations necessary to permit the creation of special districts. These regulations are found within Section 62.900 of the Land Development Manual and are attached for your information. Section 60.327 identifies existing special districts and will be amended as part of this application to include the Harvestview Special District.

The applicant is proposing an amendment to the approved Harvestview Special District adding additional residential units to the area identified as the Town Center. An amendment to the GDP is being considered concurrent with, and as part of this Special District application.

In 2002, the applicant received approval to establish the Harvestview Special District and re-zone approximately 17 acres of land north of 55<sup>th</sup> Street NW and west of 50<sup>th</sup> Avenue NW to the Special District.

In general, the Special District and GDP propose to develop the property different from what is typically permitted and to allow for setbacks that differ from the R-1 standards. The Special District also allows for a mixture of land uses consisting of the retail and residential dwellings. The Plan has also been designed to work with, and take advantage of, the natural topography of the site.

The approved Ordinance for the Harvestview Special District included four Exhibits (A-D). Of these, Exhibit A is proposed to be amended with this current petition. Exhibit A is a copy of the General Development Plan. One exhibit would be added, Exhibit E, which identifies architectural elevation and plans for the Town Center.

The Ordinance (#3520) provides findings for the adoption of the Special District and includes the purpose and intent of the District.



### **Summary of Proposed Amendment to the Harvestview Special District Ordinance:**

The applicant is proposing to amend the Ordinance #3520, for the Harvestview Special District, to include additional residential units. The proposed amendment changes the residential units from apartment units to condominium units. The initial approval had approximately 22,000 square feet of retail space with the possibility of additional 22,000 square feet of retail space. The proposed amendment now has approximately 26,000 square feet of commercial space and a total of 79 condo units.

The town square area was originally going to be flat but with the change in design of the buildings it will now be gradually sloping. Street trees were originally going to be planted at 30 foot intervals but are now proposed to be at 35 foot intervals or 40 foot intervals. Also the developer now has the right to amend the quantity and location of the trees.

The last major proposed change is a section added under the Lot Development Standards found in section 64M.260. A section on building height has been added to place a limit on the height of the buildings in the town center district.

The Harvestview Special District is attached for your information. The strikethrough language is language which would be deleted while the language in **bold** is the proposed language to be added.

Attached is a copy of Exhibits A and E of the Harvestview Special District that identify the standards that will be specific to the Special District with this amendment.

### **Action Needed:**

The Planning Commission will need to hold a public hearing to consider the amendment of this Special District and will need to make a recommendation to the City Council. An amendment to the Harvestview General Development Plan is being considered concurrent with and as part of this Special District application. The Commission could consider these two items simultaneously. Separate action should be taken on the two applications, however.

Following the Planning Commission public hearing and recommendation to the City Council, public hearings will be scheduled with the City Council for consideration of the Special District and the General Development Plan.

### **Findings:**

The following findings are recommended, for the adoption of amendment to Ordinance #3520, the Harvestview Special District. These are the findings that were adopted when Ordinance #3520 was approved in 2002.

In the desire to encourage the attractive and innovative development of this area, the Council hereby creates a special zoning district as provided for in Chapter 62.900 of the Zoning Code to be known as the Harvestview Special District. This determination is based upon the following findings consistent with this section:

- 1) This Special District is established to foster the development of a comprehensively planned, pedestrian-oriented neighborhood. This is accomplished by promoting a variety of land uses, housing types, and densities, and by requiring skillful architectural and landscape design in creating buildings and open spaces. The Site's unique location, adjacent to the Douglas Trail and at the intersection of two major streets, makes this an ideal place to create a district that avoids the negative impacts of suburban sprawl with an efficient, mixed-use land plan.
- 2) The location of Harvestview fits within the City's future growth boundary. Harvestview is located at the intersection of 50<sup>th</sup> Avenue NW (arterial) and 55<sup>th</sup> Street NW (collector). These streets are currently being upgraded to handle a greater capacity and a future signal is planned. Every street will have a 10' wide bicycle/pedestrian trails adjacent to them. The Douglas Trail is also adjacent to the development and is located along its north boundary.
- 3) A mix of uses within the development creates opportunities for people to walk and interact. That combined with strong urban and landscape design creates a sense of place. The small size of Harvestview ensures that all destinations are all within an easy walk and that the development functions as a mixed-use neighborhood.
- 4) A range of housing types serves people with different income levels and housing needs while contributing to the vitality of the streetscape.
- 5) Harvestview provides open space and connections to open space to meet the physical and emotional needs of residents and residents of nearby neighborhoods. The storm water pond and the drainage swale are incorporated as amenities and an integral part of the development.
- 6) Harvestview uses landscaping to accentuate the natural and build environment, establish visual connectivity and community identity and provides environmental and public health benefits.
- 7) Harvestview balances the mobility, safety and other needs of pedestrian bicyclists and vehicular traffic.
- 8) The quantity, location and design of parking in Harvestview reinforces the pedestrian-friendly nature of the community and encourages use of alternative modes of transportation while still accommodating vehicular traffic. The higher density is supportive of mass transit.
- 9) Building design and massing in Harvestview achieves a graceful mix of uses and housing types, ensures privacy and safety and contributes to the long-term desirability of the community.

## 62.900 SPECIAL DISTRICTS

In order to permit a more flexible means of new land development and redevelopment, the City of Rochester finds that regulations are necessary to permit the creation of special districts. Such regulations shall promote the public health, safety and general welfare and shall be substantially in accord with and promote the purposes and policies of the Comprehensive Plan.

**62.901 Purposes:** The further specific purposes and conditions supporting the establishment of a special district are:

- 1) The existence of a special and substantial public interest in protecting the existing or proposed character of an area or unique geological, ecological, archeological or social characteristics of an area; or
- 2) The existence of a special and substantial public interest in protecting areas surrounding an individual building, group of buildings or man-made features and their environs; or
- 3) The need to establish modifications to or to supplement existing zoning regulations to accomplish a special public purpose.

**62.902 Effect:** The effect of a special district designation shall be as an overlay district. The regulations established in special district legislation shall supersede the regulations of the underlying zoning district. To the extent they are not inconsistent with the special district regulations, the underlying zoning district requirements shall remain in effect.

**62.903 Submission Criteria:** The petition for establishment of a Special District shall be accompanied by two (2) copies of the proposed ordinance language, a summary of the intent and effect of the proposed modification, and a map indicating the boundary of the district and the boundary of the underlying zoning districts. An application fee as required in Paragraph 60.175 shall accompany the petition.

**62.904 Procedure:** An application for a Special District shall be processed under the Type III Review Procedure, with a Phase II Hearing Process utilized.

**62.905 Notifications:** Notifications for Comprehensive Special Districts shall be sent to all owners within the area proposed for rezoning and all owners owning land wholly or partially within 350 feet of the exterior boundaries of the area proposed for rezoning. For Single Purpose Special Districts, notifications shall be sent to all owners of land within the defined area of the proposed Single Purpose Special District.

**62.906** The ordinance establishing a particular Special District shall contain a statement of intent setting forth the nature of the special and substantial public interest involved and the objectives to be promoted by special regulations or procedures within the district.

**60.327 SD Special Districts:** Existing Special Districts approved by Ordinance numbers 3443, 3404, 2726, 2516, 2247, 3385, 3468, 3497, 3503, and 3520 are recognized as separate zoning districts and the plans and procedures established for each Special District will continue in force. When a Special District Ordinance does not specify the procedure or criteria to amend an approved site/development plan, the proposed amendment will be reviewed under Section 61.148. When a Special District requires a specific site/development plan review process, but does not specify the criteria by which to review the site/development plan, the development will be reviewed under Section 61.148. When a Special District Ordinance requires a two phase review, the development will be reviewed under Section 61.146 and either Section 62.708 (1) (for preliminary plans) or Section 62.708 (2) (for final plans).

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ORDINANCE NO. 3520

AN ORDINANCE CREATING AND ENACTING CHAPTER 64(), AND AMENDING AND REENACTING SECTION 60.327 OF THE ROCHESTER CODE OF ORDINANCES, RELATING TO THE ESTABLISHMENT OF THE PRAIRIE CROSSING SPECIAL DISTRICT.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Chapter 64M of the Rochester Code of Ordinances is hereby created and enacted to read as follows:

**64M. HARVESTVIEW SPECIAL DISTRICT**

64M.050. The purpose of this Special District is to provide for zoning regulations that will be administrated in the Harvestview Special District, as required in Section 62.900 of the Rochester Code of Ordinances (City of Rochester Zoning Ordinance and Land Development Manual). The following are the goals, objectives and special regulations of the Harvestview Special District.

**64M.100 BOUNDARIES OF THE LAND.**

This ordinance shall apply to the following described property located within the City of Rochester, County of Olmsted, State of Minnesota:

That part of the East Half of the Southeast Quarter of the Southeast Quarter of Section 7, Township 107 North, Range 14 West, Olmsted County, Minnesota which lies southerly of the southerly line of the Douglas Trail (formerly the Wisconsin, Minnesota & Pacific Railroad Company right of way).

Containing 17.09 acres more or less.

**64M.200. LEGISLATIVE INTENT AND FINDINGS.**

Subdivision. 1. Performance Goal: Harvestview provides a compelling alternative to single-use zones that offers a dramatically different mixed-use and environmentally, socially, economically, and aesthetically advanced development design.

Subd. 2. This Special District is established to foster the development of a comprehensively planned, pedestrian-oriented neighborhood. This is accomplished by promoting a variety of land uses, housing types, and densities, and by requiring skillful architectural and landscape design in creating buildings and open spaces. The sites unique

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location, adjacent to the Douglas Trail and at the intersection of two major streets, makes this an ideal place to create a district that avoids the negative impacts of suburban sprawl with an efficient, mixed-use land plan.

This type of development is consistent with the goals and policies of the City's Land Use Plan, which encourages locating mixed-use, and higher density residential uses at the intersections of major streets.

#### 64M.210. ESTABLISHMENT OF HARVESTVIEW SPECIAL DISTRICT.

Subdivision 1. Pursuant to Section 62.900 of the Rochester Code of Ordinances, the Rochester Common Council hereby creates a special zoning district to be known as the Harvestview Special District ("Special District"). The Special District shall be an overlay-zoning district designed to encourage the attractive and innovative development of the Site. As a part of this Special District, the property will be divided into two different districts (see Exhibit B). The regulations and guidelines set forth in this Special District shall prevail over the regulations of the noted underlying zoning district.

Subd. 2. The determination of the need for the creation of this Special District is based upon the following findings:

- A. This Special District is established to foster the development of a comprehensively planned, pedestrian-oriented neighborhood. This is accomplished by promoting a variety of land uses, housing types, and densities, and by requiring skillful architectural and landscape design in creating buildings and open spaces. The Site's unique location, adjacent to the Douglas Trail and at the intersection of two major streets, makes this an ideal place to create a district that avoids the negative impacts of suburban sprawl with an efficient, mixed-use land plan.
- B. The location of Harvestview fits within the City's future growth boundary. Harvestview is located at the intersection of 50<sup>th</sup> Avenue NW (arterial) and 55<sup>th</sup> Street NW (collector). These streets are currently being upgraded to handle a greater capacity and a future signal is planned and will have a 10' wide bicycle/pedestrian trails adjacent to them. The Douglas Trail is also adjacent to the development and is located along its north boundary.
- C. A mix of uses within the development creates opportunities for people to walk and interact. That combined with strong urban and landscape design creates a sense of place. The small size of Harvestview ensures that all destinations are within an easy walk and that the development functions as a mixed-use neighborhood.
- D. A range of housing types serves people with different income levels and housing needs while contributing to the vitality of the streetscape.



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- E. Harvestview provides open space and connections to open space to meet the physical and emotional needs of residents and residents of nearby neighborhoods. The storm water pond and the drainage swale are incorporated as amenities and an integral part of the development.
- F. Harvestview uses landscaping to accentuate the natural and build environment, establish visual connectivity and community identity and provides environmental and public health benefits.
- G. Harvestview balances the mobility, safety and other needs of pedestrian bicyclists and vehicular traffic.
- H. The quantity, location and design of parking in Harvestview reinforces the pedestrian-friendly nature of the community and encourages use of alternative modes of transportation while still accommodating vehicular traffic. The higher density is supportive of mass transit.
- I. Building design and massing in Harvestview achieves a graceful mix of uses and housing types, ensures privacy and safety and contributes to the long-term desirability of the community.

64M.220. **USES PERMITTED**

- A. Performance Goal: Harvestview provides for the daily needs of residents and contributes to housing stock diversity.
- B. Objective: A variety of land uses provide for daily shopping, recreation, and other needs of residents.
- C. The General Development Plan is meant to serve as a guide plan for the development of the district. Variations from the maximum residential densities, and proposed uses shall not be allowed without first amending the General Development Plan and this Special District Ordinance. The following uses shall be permitted:
  - 1. Residential District: Residential uses shall include rowhouse style townhomes (rear loaded, tuck-under garage and slab on grade).
  - 2. Town Center District: Permitted uses and appearance control standards shall comply with Section 62.310 for the B-1 Zoning District, unless regulated in this Special District.
    - (a) Residential uses – ~~apartments~~ **Condos** above (and possibly below) retail. Multi-unit ~~apartment~~ (condo buildings with underground parking).

- (b) Temporary uses – art fairs, farmer’s market, flea markets, neighborhood gatherings.
- 3. Additional uses allowed in the Town Center District shall be membership services and drinking and entertainment.
- 4. Convenience retail (without fuel sales), restaurants, retail trade, drinking and entertainment shall be exempt from the hours of operation requirements of the B-1 Zoning District.
- 5. The following uses will be prohibited:
  - (a) Manufactured home park
  - (b) Sales & storage lots
  - (c) Parking facility (as a principle use)
  - (d) Sand or gravel excavation
  - (e) Convenience retail (with gasoline sale)
  - (f) Auto Center
  - (g) Auto Maintenance Services
  - (h) Car Washes
  - (i) Trade Shops
  - (j) Use of Storage Containers

## 64M.230. GENERAL DEVELOPMENT STANDARDS

### A. PARKS/OPEN SPACE

- 1. Performance Goal: Harvestview provides open space to meet the recreational and emotional needs of residents and reinforces the design of the development.
- 2. Objective: The town square and open space amenities within the development and connections to open space serves a range of interests, which suits the population of a mixed-use neighborhood.
- 3. The town square will be a ~~flat~~ **gradually sloping**, open area intended for recreational use and social interaction. A neighborhood ~~terraced area pavilion~~ would act as a focal point and would include special paving, benches and shrub and perennial beds. The square would be privately owned and

maintained by the neighborhood association, but would be publicly accessible.

## B. LANDSCAPING

1. Performance Goal: Harvestview uses landscaping to accentuate the natural and build environment, establish visual connectivity and community identity and provides environmental and public health benefits.
2. Objective: Landscaping accentuates the appearances and improves the function of the public realm, including streets and open spaces.
3. Street trees of a ~~minimum of 2-1/2" cal.~~ are **indicated** required at approximate ~~30-35-foot~~ intervals in all grass boulevard areas of public streets in the residential district. The developer ~~shall be responsible for the planting of the trees.~~ **reserves the right to amend the quantity and location of the trees with approval from the City Park and Recreation Department.**
4. Town Center District: Street trees are required along **the south side of the mixed-use building at a minimum spacing of 40 foot on center** ~~all public streets at an approximate of 30-foot intervals.~~ These trees shall be planted in tree grates or planting beds with a minimum size of 30 square feet and a minimum dimension of 5'-0".
5. Objective: Landscaping accentuates and reinforces the built environment.
6. Plantings in immediate proximity to buildings in front, side and rear yards shall respect architectural features and lines.
7. Objective: Landscaping provides visual connection and community identity.
8. Landscaping should be used both to soften the "hardness" of the urban area for the pedestrian and make the pedestrian feel more comfortable by providing shade, reducing glare and helping to form public space, "outdoor rooms" and street corridor edges. Such formality of landscaping adds dignity to the Harvestview neighborhood.
9. Objective: Landscaping reduces visual blight and noise.

~~10. Dumpsters amongst multiple commercial tenants and multiple residential units will be required to be grouped into common refuse and recycling areas.~~

11. These facilities for refuse disposal and recycling shall be enclosed by solid fence or walls, and landscaping shall be installed around the perimeter **(except in underground parking)**. Utility boxes and water backflow prevention devices shall be located so they are visually unobtrusive and screened with landscaping as allowed.

### C. ACCESS AND CIRCULATION

1. Performance Goal: Harvestview balances the mobility, safety and other needs of pedestrian, bicyclists and vehicular traffic.
2. Objective: Pedestrian walkways, bicycle trails and other amenities enhance the possibility and desirability of walking and bicycling.
3. Pedestrian ways shall be continuous, direct and convenient. They shall also be secure, well lighted and have good visibility. All sidewalks shall be **minimum 4'-0" 5'-0"** in width (except for town center district) when located with the right-of-way. Town Center District sidewalks at least **eight** ~~ten~~ feet in width (including planting areas) shall be provided the entire length of property fronting the right of way.
4. On-street parking shall be provided whenever feasible, which provides a buffer for pedestrians and convenient short-term parking.
5. Objective: A streetscape interesting to pedestrians encourages more people to walk.
6. Buildings shall be placed close to the street or pedestrian access ways with primary access directed toward the street or pedestrian access with a variation in setback determined by type of access.
7. Building facades shall be articulated and contain detail to provide visual interest. Building mass will be broken up by using design detail, landscaping and public spaces.
8. In the Town Center District:
  - (a) Restaurants shall be permitted to operate outdoor cafes on sidewalks, including areas within the public right of

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way and in courtyards provided that pedestrian circulation and access to store entrances are not impaired.

- (b) Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade. A revocable permit will be required by the City whenever a canopy or awning extends into the public right-of-way
- (c) Buildings shall be oriented to face the street with entrances and display windows at the street level.

9. Below is a summary of street layouts for the Harvestview development (as indicated on Exhibits C & D, Harvestview Special District) that deviate from the City of Rochester's standards.

- o Harvestview Drive NW – 56' ROW, Parking One-Side – 32' Road (face to face typical)
- o 56<sup>th</sup> Street NW – 50 ROW, Parking One-Side – 28' Road (face to face typical)
- o 51<sup>st</sup> Avenue NW (~~north end~~) – 38 ROW, One-Way Road, 21' 22' (face to face), parking one side
- o ~~51<sup>st</sup> Avenue NW (south end) – 50' ROW, Parking One-Side – 28' road (face to face)~~

#### D. PARKING

1. Performance Goal: The quantity, location and design of parking in Harvestview reinforces the pedestrian-friendly nature of the community and encourages use of alternative modes of transportation while still accommodating vehicular traffic.
2. Objective: The quantity of parking spaces is sufficient to support demand but reflects opportunities for reducing automobile trips due to development design and/or availability of alternative modes of transportation and opportunities for shared parking.
3. Parking requirements for the Town Center District, (mixed-use-retail and office) shall be **four** ~~three~~ spaces per 1000 square foot of gross leasable area.

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4. In commercial or office uses, which have shop fronts adjacent to sidewalks and streets, on-street parking directly in front of the lot shall count toward fulfilling the parking requirement.
  5. Residential Districts: On-street parking shall count toward the "spill-over" parking requirement.

64M.250. **ARCHITECTURAL STANDARDS**

A. Performance Goal: Building design and massing in Harvestview achieves a graceful mix of uses and housing types, ensures privacy and safety and contributes to the long-term desirability of the community.

1. Architectural compatibility.

(a) All Districts:

- (1) A building must incorporate architectural styles, building materials and colors used in surrounding buildings.

~~(2) A building greater than one story should clearly delineate the boundary between each floor of the structure through belt courses, cornice lines or similar architectural detailing.~~

(b) Town Center District:

- (1) Site appearance standards shall follow the guidelines of this Chapter. The B-1 General Zoning District Standards, Sec. 62.311 shall apply if not noted in this Chapter.

~~(2) Attached buildings within the same block must vary the cornice lines of the buildings of the same height.~~

2. Human Scale Design.

(a) All Districts:

- (1) Doorways, windows and other openings in the façade of a building should be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.

- (2) A building shall avoid long, monotonous-uninterrupted walls or roof planes. The façade of a building should be divided into distinct modules, no longer than 150 400 feet.

~~3. Integration of uses.~~

~~(a) Residential Districts:~~

- ~~(1) The finished floor elevation of all townhomes and multi-family units shall be a minimum 18" above sidewalk elevation to insure privacy for the occupants of the dwelling.~~

4. Encouragement of pedestrian activity in Town Center District:

- (a) Awnings, covered walkways, open colonnades, or similar weather protection must be provided by 50% of the commercial uses or tenants that front the right-of-way.
- (b) A commercial use must provide a minimum 50% of the front façade on the ground floor as clear or lightly tinted windows, doors, or other treatments sufficiently transparent to provide views into the interior of the building.
- (c) Locate mechanical equipment and service areas out of public view.
  - (1) Backflow prevention/anti-siphon valves must be integrated into the building design and concealed from public view. Such devices may not be located within the right-of-way on primary pedestrian streets.
  - (2) All other mechanical equipment must be located behind or on top of the building and screened from public view with parapet walls, landscaping, etc.

5. Exterior finish materials:

- (a) Buildings should emphasize durable, attractive, and well-detailed finish materials, including:
  - (1) Brick.

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- (2) Concrete (if it features architecturally treated texture or color, other refined detailing, and/or complementary materials).
  - (3) Cast stone, natural stone, tile.
  - (4) Stucco and stucco-like panels. If they feature an even surface and properly trimmed joints and edging around doors and windows. Heavily textured finished with obvious trowel marks are not generally appropriate. Stucco should be avoided in areas that are susceptible to vandalism and graffiti. Stucco and stucco-like panels must be detailed and finished to avoid water staining and envelope failure. Overhangs and protective trim are encouraged to increase weather resistance.
  - (5) Art tile or other decorative wall details.
  - (6) Wood, especially appropriate for residential structures.
- (b) The materials listed below are discouraged and should only be used if they complement the building's architectural character and are architecturally treated for a specific reason that supports the building and streetscape character.
- (1) Masonry units. If concrete blocks (concrete, masonry units or "cinder blocks") are used for walls that are visible from a public street or park, then the concrete or concrete block construction should be architecturally treated in one or more of the following ways:
    - (aa) Use of textured blocks with surfaces such as split face or grooved.
    - (bb) Use of colored mortar.
    - (cc) Use of other masonry types, such as brick, glass block, or tile, in conjunction with concrete blocks.
    - (dd) Treated to avoid the gray "weeping" effect of wet concrete masonry.



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- (ee) Provided with substantial wood or metal trellis and maintained vine planting such as engleman ivy or other non-pest vine.
- (2) Metal siding. If metal siding is used as a siding material over more than 25% of a building's façade, the metal siding should have a matted finish in a neutral or earth tone, such as a buff, gray, beige, tan, cream, white, or a dulled color such as barn red, blue-gray, burgundy, or other. If metal siding is used over 25% of the building façade, then the building design should include visible window and door trim painted or finished in a complimentary color and corner and edge trim that covers exposed edges of the sheet metal panels. This guideline would apply to both the north and south building facades.
- (3) Wood siding and shingles except on upper stories or on smaller-scale residential projects.
- (4) Vinyl siding.
- (5) Sprayed-on finish with large aggregate.
- (6) Mirrored glass. This is especially inappropriate when glare could be a potential problem.
- (c) Where anodized metal is used for window and door trim, then care should be given to the proportion and break-up of glazing to reinforce the building concept and proportions.
- (d) Fencing adjacent to the sidewalk should be sited and designed in an attractive and pedestrian oriented manner.
- (e) Awnings made of translucent materials may be backlit, but should not overpower neighboring light schemes. Lights, which direct light downward, mounted from the awning frame are acceptable. Lights that shine from the exterior down on the awning are acceptable.
- (f) Light standards should be compatible with other site design and building elements.

B. Signs and Lighting

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1. Performance Goal: To protect the visual character of design building with careful consideration for the incorporation of signage and lighting of Harvestview.
2. Objective: Signs should add interest to the street level environment. They can only unify the overall architectural concept of the building, or provide unique identity for a commercial space within a larger mixed-use structure. Design signage that is appropriate for the scale, character and use of the project and surrounding area. Signs should be oriented and scaled for both pedestrians on sidewalks and vehicles on streets. The following sign types are encouraged:
  - (a) Pedestrian-oriented blade and window signs.
  - (b) Marquee signs and signs on over-head weather protection.
  - (c) Appropriately sized neon signs.
3. Town Center District:
  - (a) All signs shall comply with the Section 62-300, B-1 site appearance standards and Section 63.220 (sign type B) with the following exceptions:
    - (1) Free standing sign – maximum height 15 feet.
    - (2) Projecting sign – maximum area – 20 square feet. maximum height – 12 feet
    - (3) Graphics sign – maximum area of 10% of wall.
    - (4) Auxiliary sign – maximum height – 6 feet.
    - (5) Advertising signs (billboards) will be prohibited.
  - (b) All wall signage should be uniform in size.
4. Objective: Exterior site lighting should be used to accentuate the building design and the overall ambiance of Harvestview.
  - (a) Highlight architectural details and features with lighting integrated into the building design.
  - (b) Façade lighting should provide for a sense of vibrancy and safety without resulting in excessive light and glare.

- (c) All exterior lighting shall comply with the standards for exterior lighting in a B-1 Zoning District per Section 63.210, unless otherwise noted in this Chapter.
- 5. "Dark Sky" lighting fixtures should be encouraged in the public streets and parking lots. Lights will be required to have sharp cutoff style fixtures.

#### 64M.250 LOT DEVELOPMENT STANDARDS

- A. Performance Goal: Lot development standards in Harvestview contribute to the development of a continuous streetscape and pedestrian atmosphere.
  - 1. Objective: Front, side, and rear setbacks in residential and commercial areas create an inviting, diverse, and safe pedestrian atmosphere.
  - 2. Residential District:
    - (a) Setback standards are indicated on Exhibit "B" – Land Use and Residential setback plan.
  - 3. Town Center District.
    - (a) Front setbacks from 55<sup>th</sup> Street NW shall be a minimum 30' – 0" to building face.
    - (b) Side setbacks from 50<sup>th</sup> Avenue NW shall be a minimum 29' – 0" 15' – 0".
    - ~~(c) Side setbacks from 51<sup>st</sup> Avenue NW shall be 12' – 0".~~
  - 4. Building Height (Town Center District)
    - (a) Building height of main building on south (facing in 55<sup>th</sup> Street NW) shall be maximum 35'-0" (as measured to mid roofline).
    - (b) Building height on north (facing Town Square) shall be maximum 45'-0".
    - (c) Building height of main building corners (east and west ends) shall be maximum 47'-0" on south and maximum 57'-0" on north side.

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64M.260. **UNDERLYING DEVELOPMENT STANDARDS**

1. Except where otherwise specified, standards for the development of this district will be based on the following:
  - (a) Residential District – Section 62.240 R-3 medium density residential district.
  - (b) Town Center District – Section 62.300 B-1 Restricted Commercial District.

64M.300. **BOUNDARIES**

The regulations established herein shall apply to the land described in Section 64.100 and shall be designated "SD" on the zoning map.

64M.400 **EXHIBITS "SD \_12\_"**

The following documents shall be submitted with the Special District application and included as exhibits of this Ordinance:

- A. Harvestview General Development Plan, Exhibit A.
- B. Land Use and Residential Setback Plan, Exhibit B.
- C. Townhomes, Architectural Plans and ~~Town Center Building~~ Prototype, Exhibit C.
- D. Roadway Standards and Sections, Exhibit D.
- E. **Town Center architectural elevation and plans, Exhibit E.**

64M.500 **GENERAL DEVELOPMENT PLAN AND GUIDE FOR DEVELOPMENT**

The Harvestview General Development Plan, following Special District approval and a rezoning of the area to Special District, together with the attached Exhibits A, B, C, D & E are, in combination, recognized as the guide for the development of the Special District.

64M.600 **EFFECTS OF REGULATIONS**

The General Development Plan and Final Plats together with the conditions and restrictions imposed, if any, shall govern the use and development of the land.

64M.700 **EXTENSION OF SPECIAL DISTRICT**

The Special District may be extended by amendment to include the property on the west side. An amendment to the Special District may be initiated by the owner of contiguous undeveloped property or by the City of Rochester. The amendment must support the intent of this Special District. A petition to extend said district shall be accompanied by a General Development Plan application and additional submittals consistent with this Chapter.

#### 64M.800 DEVELOPMENT PROCEDURES

Subdivision 1. Except as herein described, development procedures for property within the Special District shall be consistent with the requirements of the Rochester Code of Ordinances. Additional plans and information shall be submitted, as necessary, for development within the Special District, as outlined below. If determined necessary by the Zoning Administrator, additional plans or information necessary to development approvals shall also be submitted.

Subd. 2. General Development Plan. A General Development Plan application shall include plans and information consistent with the Rochester Code of Ordinances. It shall also include:

- A. Submission of "Harvestview" Special District Ordinance.
- B. Submission of documents, which outlines variations from roadway standards, with the intent of creating village-scale mixed-use development, "built-in" traffic calming.
- C. Submission of documents including preliminary architectural plans of townhomes, and **buildings** ~~Town Center building concept plan.~~

Subd. 3. Final Plat Application. Final plat applications within the Special District shall include plans and information consistent with the requirements of the Rochester Code of Ordinances and shall be submitted at least three weeks prior to the City Council meeting at which they will be considered. The following additional materials shall be submitted with the final plat application:

- A. Documents providing for the long term ownership, maintenance and care of any common lands, open spaces, and/or private infrastructure that will not be publicly owned.
- B. Additional information requested by the Zoning Administrator in order to gain sufficient information to judge the nature and propriety of the proposal.

Subd. 4. Zoning Certificate and Building Permit. Applications for building permits and zoning certificates within the Special District shall include submission of a Harvestview Architectural Review Committee document. This document must verify a review of siting

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and plans for compliance with this Special District's intent, as outlined in the covenants submitted with the final plat.

64M.900      RESCINDING APPROVAL.

After six (6) years from the date of approval of the Special District, the Council may, following a public hearing, rescind approval of this Special District upon finding that no progress has been made in the construction of the development.

Section 2. Section 60.327 of the Rochester Code of Ordinance is amended and reenacted to read as follows:

**60.237SD SPECIAL DISTRICTS:** Existing Special Districts approved by Ordinance numbers 3443, 3404, 2726, 2516, 2247, 3385, 3462 and 3468 are recognized as separate zoning districts and the plans and procedures established for each Special District will continue in force. When a Special District Ordinance does not specify the procedure or criteria to amend an approved site development plan, the proposed amendment will be reviewed under Section 64.148. When a Special District Ordinance requires a two-phase review, the development will be reviewed under Section 61.146 and either Section 62.708 (1) (for preliminary plans) or Section 62.708 (2) (for final plans).

Section 3. This Ordinance shall become effective on and after the date of its Publication.

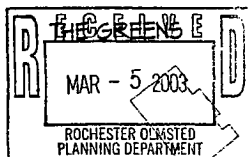
WEDGEWOOD HILLS

HOLY SPIRIT CHURCH

6'87.0 X 1078.9

1091.3

REVISED



RPU SUBSTATION

1048.9

NO.	DATE	DESCRIPTION	BY	CHK.
1	10/1/03	PRELIMINARY PLAN	W. H. McNEIL	W. H. McNEIL
2	10/1/03	REVISED PLAN	W. H. McNEIL	W. H. McNEIL

**McGhie**  
Consulting Engineers  
1648 3rd AVE. S.E. Rochester, MN 55904 507-299-2919



**Betts, Inc.**  
Land Surveyors  
Planners  
1648 3rd AVE. S.E. Rochester, MN 55904 507-299-2919

**McGraw & Bony, Inc.**  
706 COUNTY ROAD 8 NW  
STARK, MINNESOTA 55479  
FOR NO. 1084/95423  
Project No. 1084/95423  
Scale: 1" = 50'  
Date: 5/22/03

**HARVESTVIEW**  
AMENDED GENRAL DEVELOPMENT PLAN  
ROCHESTER  
MINNESOTA  
EXHIBIT A



STORM POND

HARVESTVIEW DRIVE

DOUGLAS TRAIL

HARVESTVIEW LAKE

50th AVE. NW

50th AVE. NW

55th STREET NW

55th STREET NW

FUTURE OFFICE SERVICE

FUTURE OFFICE SERVICE

FUTURE TOWN HOUSES

UNDERGROUND PARKING

CONDOMINIUM BUILDINGS

UNDERGROUND PARKING

CONDOMINIUM BUILDINGS

UNDERGROUND PARKING

CONDOMINIUM BUILDINGS

UNDERGROUND PARKING

CONDOMINIUM BUILDINGS

UNDERGROUND PARKING

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CONDOMINIUM BUILDINGS

UNDERGROUND PARKING

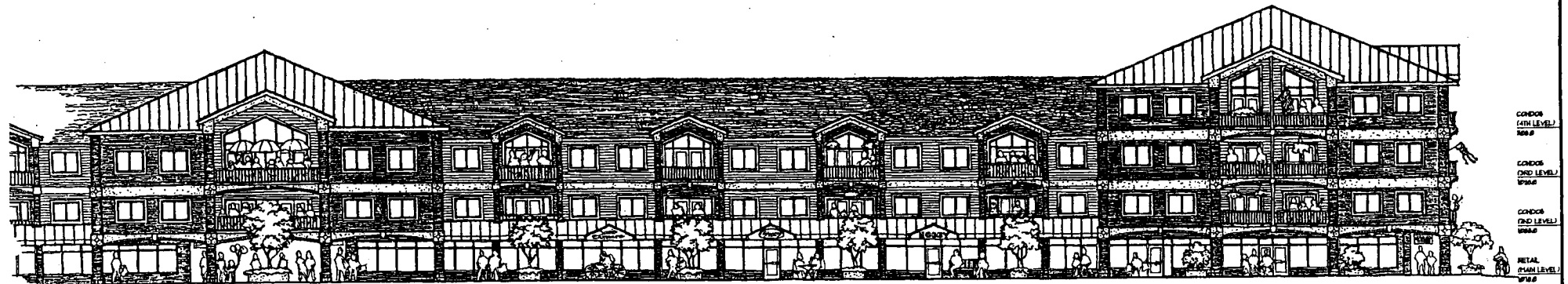
CONDOMINIUM BUILDINGS

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**SOUTH ELEVATION (WEST SIDE)**

SCALE: 1/8"=1'-0"



**SOUTH ELEVATION (EAST SIDE)**

SCALE: 1/8"=1'-0"



CONDO  
14TH LEVEL  
1800 SF

CONDO  
13TH LEVEL  
1800 SF

CONDO  
12TH LEVEL  
1800 SF

RETAIL  
11TH LEVEL  
1800 SF

PARKING  
FLOOR  
LEVEL  
1800 SF



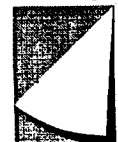
**FULL SOUTH ELEVATION**

Exhibit E

## HARVESTVIEW TOWN CENTER

55TH ST. NW & 50TH AVE. NW  
ROCHESTER, MINNESOTA

2-10-03



KANE AND JOHNSON ARCHITECTS, INC.  
ROCHESTER, MINNESOTA • ST. PAUL, MINNESOTA • KANSAS CITY, KANSAS



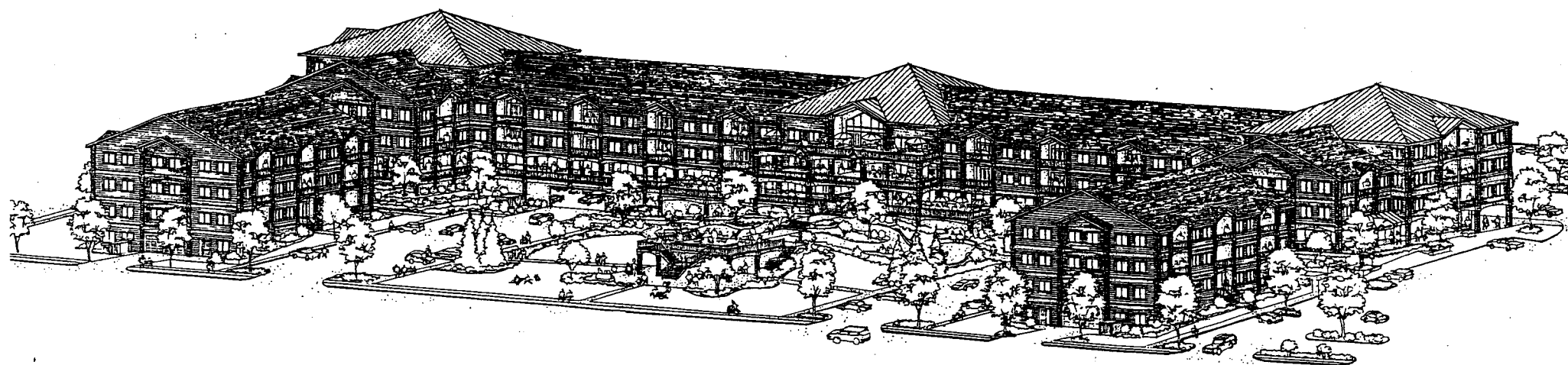
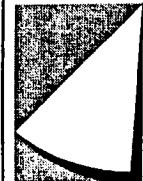


Exhibit E

124

**EAST WING (10')**  
**CONDO PARKING:**  
 FIRST FLOOR - 4 UNITS  
 SECOND FLOOR - 4 UNITS  
 THIRD FLOOR - 4 UNITS  
 (A) 1 BR = 1 SPACE + 4  
 (B) 2 BR = 1.5 SPACES + 8  
 (C) 3 BR = 2 SPACES + 4  
**TOTAL REQUIRED = 11 SPACES**  
**AVAILABLE = 16 SPACES**  
**ONE 1 SPACE PER UNIT AJ**



**KANE AND JOHN ARCHITECTS, INC.**  
 2440 HIGHWAY 63 NORTH SUITE 10  
 ROCHESTER, MN 55909  
 PH (507) 288-1839 FAX (507) 288-1830  
 2440 UNIVERSITY AVE WEST  
 ST. PAUL, MN 55111  
 PH (651) 644-8224 FAX (651) 644-8224

**CERTIFICATION**

I hereby certify that this Plan, Spec or Report was prepared by me or my direct employee duly licensed under the laws of the state of Minnesota.

Name \_\_\_\_\_  
 Date \_\_\_\_\_ DATE Lic. No. \_\_\_\_\_

**CONSULTANTS**

**REVISIONS**

Date \_\_\_\_\_ By \_\_\_\_\_  
 Drawn By: JP Date \_\_\_\_\_  
 Plan Number: 20022-001  
 Title: P-101-01  
 Project Name: PD  
 Updated By: JP Date \_\_\_\_\_

**BIGELOW ENTERPRISES**

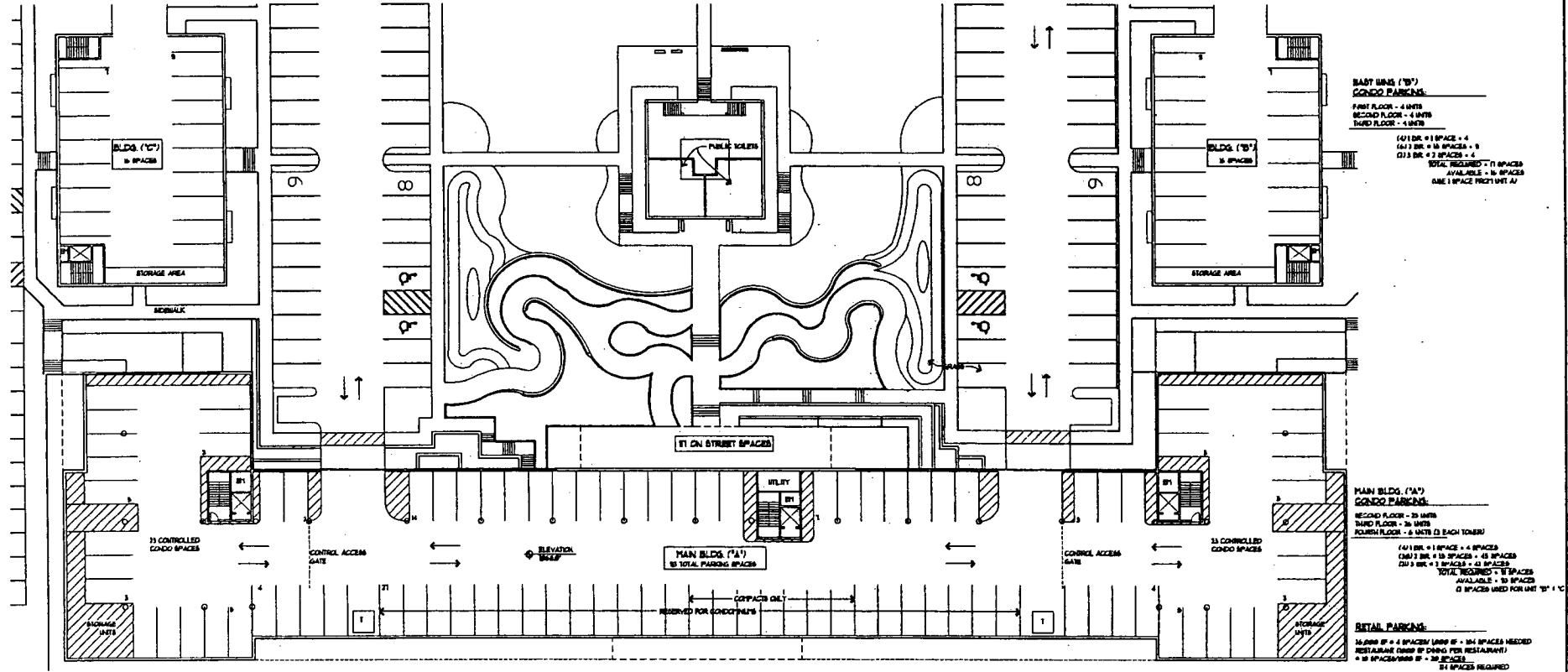
**Harvestview Town Center**

Rochester, Minnesota

**BASEMENT PLAN**

Exhibit E

ISSUE DATE: \_\_\_\_\_  
 KJA PROJECT # 20022  
 SHEET \_\_\_\_\_  
 OF \_\_\_\_\_ NUMB



**BASEMENT PLAN**  
 SCALE: 1/8" = 1'-0"

**PARKING SPACES:**  
 SEE STREET AND MAIN LEVEL PARKING  
 64 PARKING SPACES  
**UNDERGROUND:**  
 BUILDING A - 14 CONTROLLED ACCESS SPACES  
 11 UNCONTROLLED ACCESS  
 15 SPACES TOTAL  
 BUILDING B - 14 CONTROLLED ACCESS SPACES  
 BUILDING C - 14 CONTROLLED ACCESS SPACES  
 15 SPACES  
**64 TOTAL SPACES**

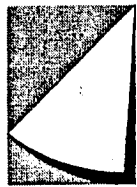
**NUMBER OF CONDO UNITS:**  
 BUILDING A - 14 UNITS  
 BUILDING B - 14 UNITS  
 BUILDING C - 14 UNITS  
**42 UNITS TOTAL**

**SPILL-OVER PARKING:**  
 60% CONDO DENSITY RATIO OF 10:1  
 100 TOTAL CONDO PARKING SPACES  
 1 SPILL-OVER SPACES NEEDED  
 10 SPACES AVAILABLE OFF - STREET

**EAST WING (10')**  
**CONDO PARKING:**  
 FIRST FLOOR - 4 UNITS  
 SECOND FLOOR - 4 UNITS  
 THIRD FLOOR - 4 UNITS  
 (A) 1 BR = 1 SPACE + 4  
 (B) 2 BR = 1.5 SPACES + 8  
 (C) 3 BR = 2 SPACES + 4  
**TOTAL REQUIRED = 11 SPACES**  
**AVAILABLE = 16 SPACES**  
**ONE 1 SPACE PER UNIT AJ**

**MAIN BLDG. (14')**  
**CONDO PARKING:**  
 SECOND FLOOR - 14 UNITS  
 THIRD FLOOR - 14 UNITS  
 FOURTH FLOOR - 14 UNITS (3 EACH TOWER)  
 (A) 1 BR = 1 SPACE + 4 SPACES  
 (B) 2 BR = 1.5 SPACES + 8 SPACES  
 (C) 3 BR = 2 SPACES + 4 SPACES  
**TOTAL REQUIRED = 11 SPACES**  
**AVAILABLE = 16 SPACES**  
**ONE 1 SPACE PER UNIT AJ**

**WEST WING (10')**  
**CONDO PARKING:**  
 FIRST FLOOR - 4 UNITS  
 SECOND FLOOR - 4 UNITS  
 THIRD FLOOR - 4 UNITS  
 (A) 1 BR = 1 SPACE + 4  
 (B) 2 BR = 1.5 SPACES + 8  
 (C) 3 BR = 2 SPACES + 4  
**TOTAL REQUIRED = 11 SPACES**  
**AVAILABLE = 16 SPACES**  
**ONE 1 SPACE PER UNIT AJ**



**KANE AND JOHN  
ARCHITECTS, INC.**

2400 HIGHWAY 43 NORTH SUITE 100  
ROCHESTER, MINN 55905  
PH (507) 288-1870 FAX (507) 288-1863

2400 UNIVERSITY AVE WEST  
ST. PAUL, MN 55105  
PH (651) 644-8271 FAX (651) 644-8200

**CERTIFICATION**

I hereby certify that this Plan, Spec  
or Report was prepared by me or  
my direct employee and that I  
am a duly licensed professional  
engineer in the State of Minnesota.

Name \_\_\_\_\_  
Date \_\_\_\_\_ Lic. No. \_\_\_\_\_

**CONSULTANTS**

**REVISIONS**

Date \_\_\_\_\_ By \_\_\_\_\_

Drawn By: JF  
File Number: 0000000000  
Plot Scale: 1/8" = 1'-0"  
Project Status: PD  
Updated By: JF

**BIGELOW  
ENTERPRISES**

**Harvestview  
Town Center**

Rochester, Minnesota

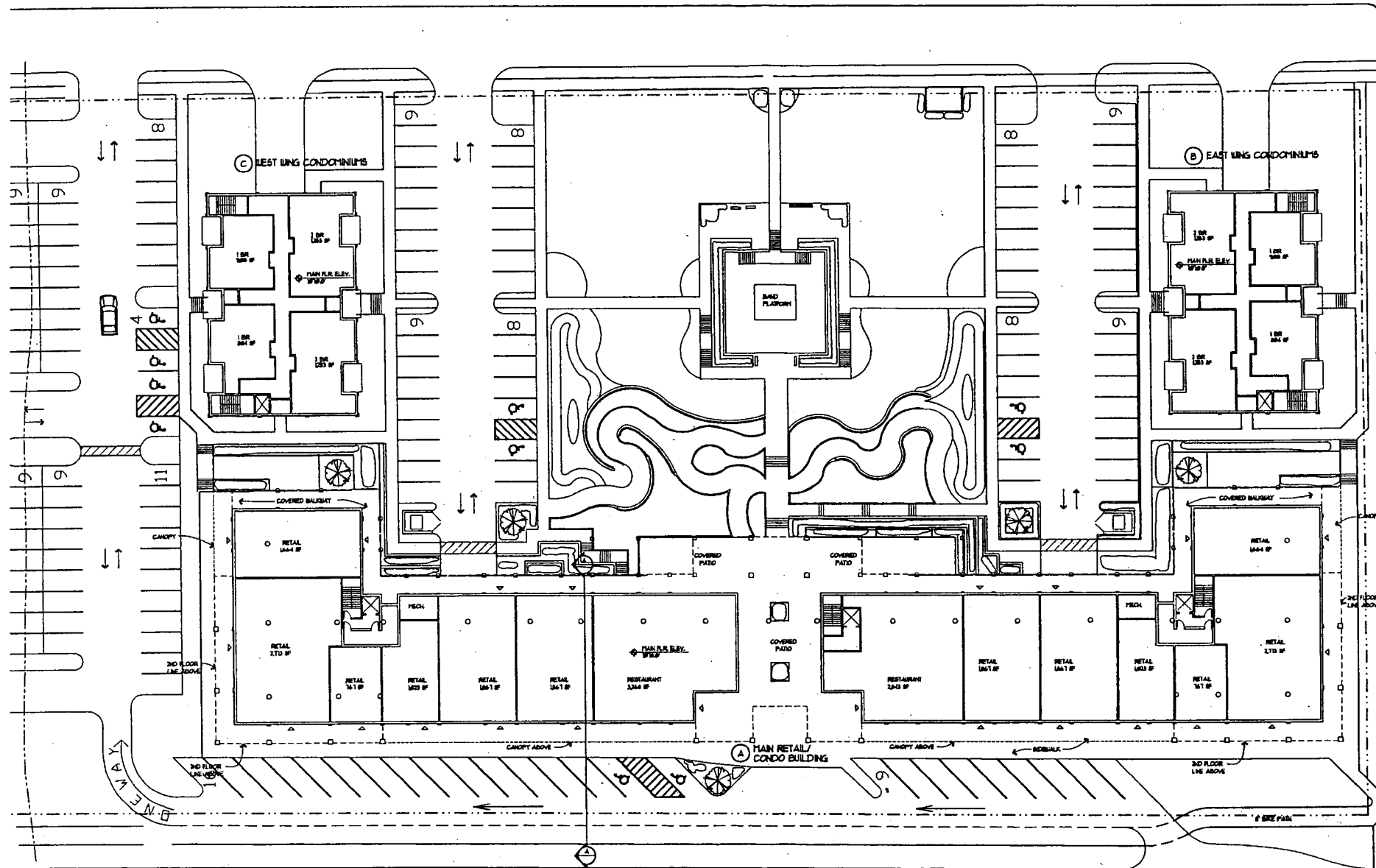
**MAIN FLOOR  
PLAN**

ISSUE DATE:

MIN. PROJECT # 2002

DATE

OF NUM



MAIN FLOOR PLAN  
SCALE: 1/8" = 1'-0"

**BUILDING 'A' SQUARE FOOTAGE:**

LOWER LEVEL	GROSS SQ. FT. - 36,383
MAIN FLOOR	GROSS SQ. FT. - 30,175 LEASEABLE RETAIL SPACE - 20,893 COMMON AREAS - 3,542
2ND FLOOR	GROSS SQ. FT. - 31,644 LEASEABLE CONDO SPACE - 20,875 COMMON AREAS - 10,169
3RD FLOOR	GROSS SQ. FT. - 31,644 LEASEABLE CONDO SPACE - 21,114 COMMON AREAS - 6,294
4TH FLOOR	GROSS SQ. FT. (BOTH TOWERS) - 30,348 LEASEABLE CONDO SPACE - 8,104 COMMON AREAS - 10,444
TOTAL	LEASEABLE RETAIL SPACE - 20,893 CONDOMINIUM SQUARE FEET - 49,076 COMMON SQUARE FEET - 23,718

**BUILDING 'B' SQUARE FOOTAGE:**

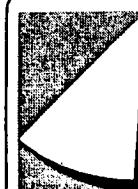
LOWER LEVEL	GROSS SQ. FT. - 6,899
MAIN FLOOR	GROSS SQ. FT. - 6,899 LEASEABLE CONDO SPACE - 4,726 COMMON AREAS - 1,182
2ND FLOOR	GROSS SQ. FT. - 6,899 LEASEABLE CONDO SPACE - 4,870 COMMON AREAS - 1,099
3RD FLOOR	GROSS SQ. FT. - 6,899 LEASEABLE CONDO SPACE - 4,870 COMMON AREAS - 1,099
TOTAL	CONDOMINIUM SQUARE FEET - 14,641 COMMON SQUARE FEET - 438

**BUILDING 'C' SQUARE FOOTAGE:**

LOWER LEVEL	GROSS SQ. FT. - 6,899
MAIN FLOOR	GROSS SQ. FT. - 6,899 LEASEABLE CONDO SPACE - 4,726 COMMON AREAS - 1,182
2ND FLOOR	GROSS SQ. FT. - 6,899 LEASEABLE CONDO SPACE - 4,870 COMMON AREAS - 1,099
3RD FLOOR	GROSS SQ. FT. - 6,899 LEASEABLE CONDO SPACE - 4,870 COMMON AREAS - 1,099
TOTAL	CONDOMINIUM SQUARE FEET - 14,641 COMMON SQUARE FEET - 438

Exhibit E

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# KANE AND JOHN ARCHITECTS, INC

2440 HIGHWAY 63 NORTH SUITE 3  
ROCHESTER, MN 55906  
TEL (507) 286-1836 FAX (507) 286-1828  
2440 UNIVERSITY AVE WEST  
ST. PAUL, MN 55111  
TEL (651) 644-8224 FAX (651) 644-8226

## CERTIFICATION

I hereby certify that this Plan, Spec or Report was prepared by me or my direct employee who is duly licensed under the laws of the State of Minnesota.

Name \_\_\_\_\_  
Date \_\_\_\_\_ Lic No. \_\_\_\_\_

## CONSULTANTS

## REVISIONS

Date \_\_\_\_\_ By \_\_\_\_\_

Drawn By: J.S.  
File Number: 20020113p001  
Plot Scale: 1/8" = 1'-0"  
Project Status: PD  
Updated By: J.S.

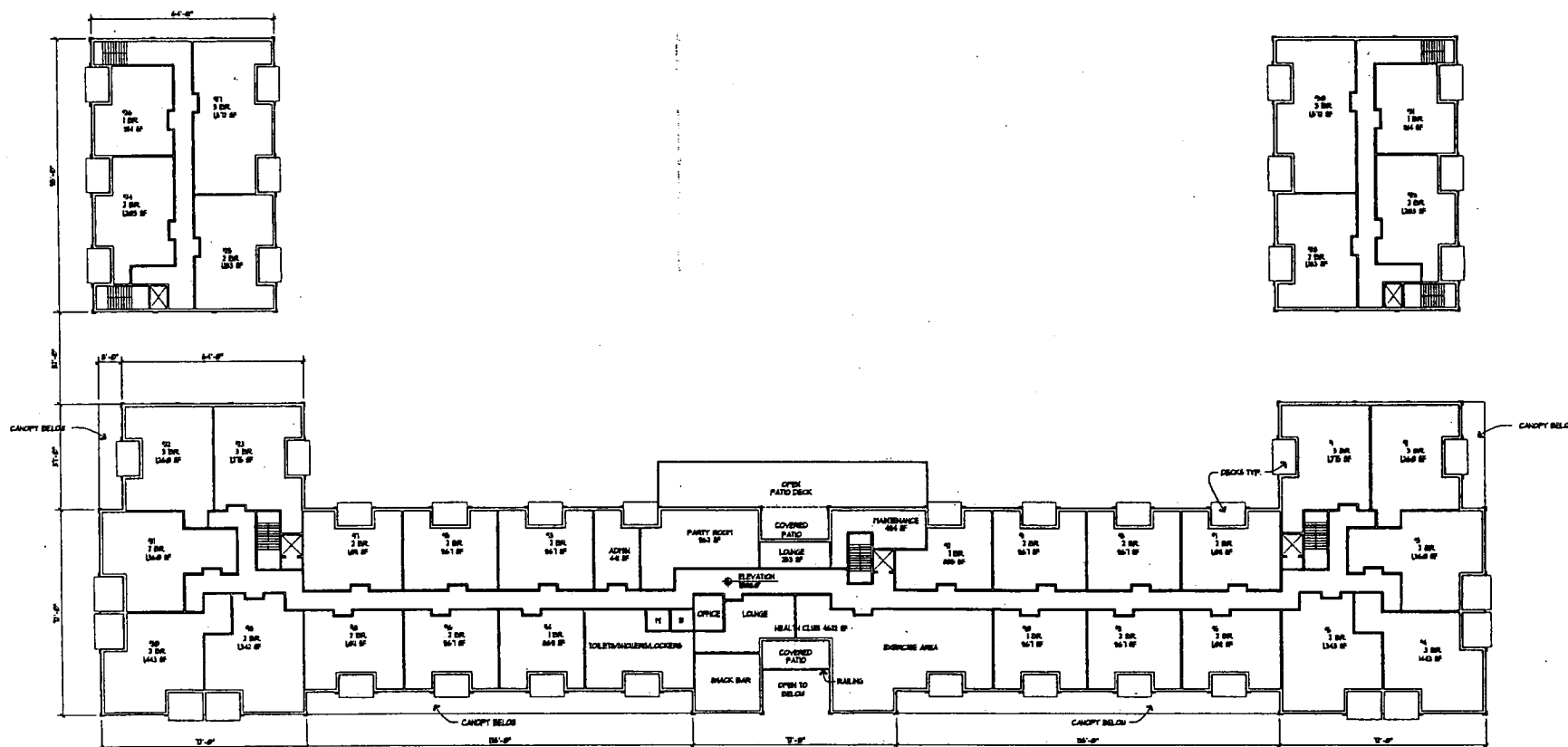
## BIGELOW ENTERPRISES

## Harvestview Town Center

Rochester, Minnesota

## SECOND FLOOR PLAN

Exhibit E



 SECOND FLOOR PLAN  
1/8" = 1'-0"

ISSUE DATE: \_\_\_\_\_

KJA PROJECT # 2002:

SHEET \_\_\_\_\_

OF \_\_\_\_\_ NUME \_\_\_\_\_



2446 HIGHWAY 63 NORTH SUITE B  
ROCHESTER, MN 55906  
PH (507) 286-1830 FAX (507) 286-1831

2449 UNIVERSITY AVE WEST  
ST. PAUL, MN 55314  
PH (651) 644-8224 FAX (651) 644-808

I hereby certify that this Plan, Spec  
or Report was prepared by me or  
my direct supervisor  
duly licensed  
the laws of the

Name \_\_\_\_\_  
Date \_\_\_\_\_ DATE \_\_\_\_\_ Lic. No. \_\_\_\_\_

## REVISIONS

Date: \_\_\_\_\_ By: \_\_\_\_\_

Drawn By:	JP	De
File Number:	300233302	
Plot Scale:	7.50'-0"	
Project Status:	PD	
Updated By:	JP	De

**BIGELOW  
ENTERPRISES**

Harvestview  
Town Center

Rochester, Minnesota

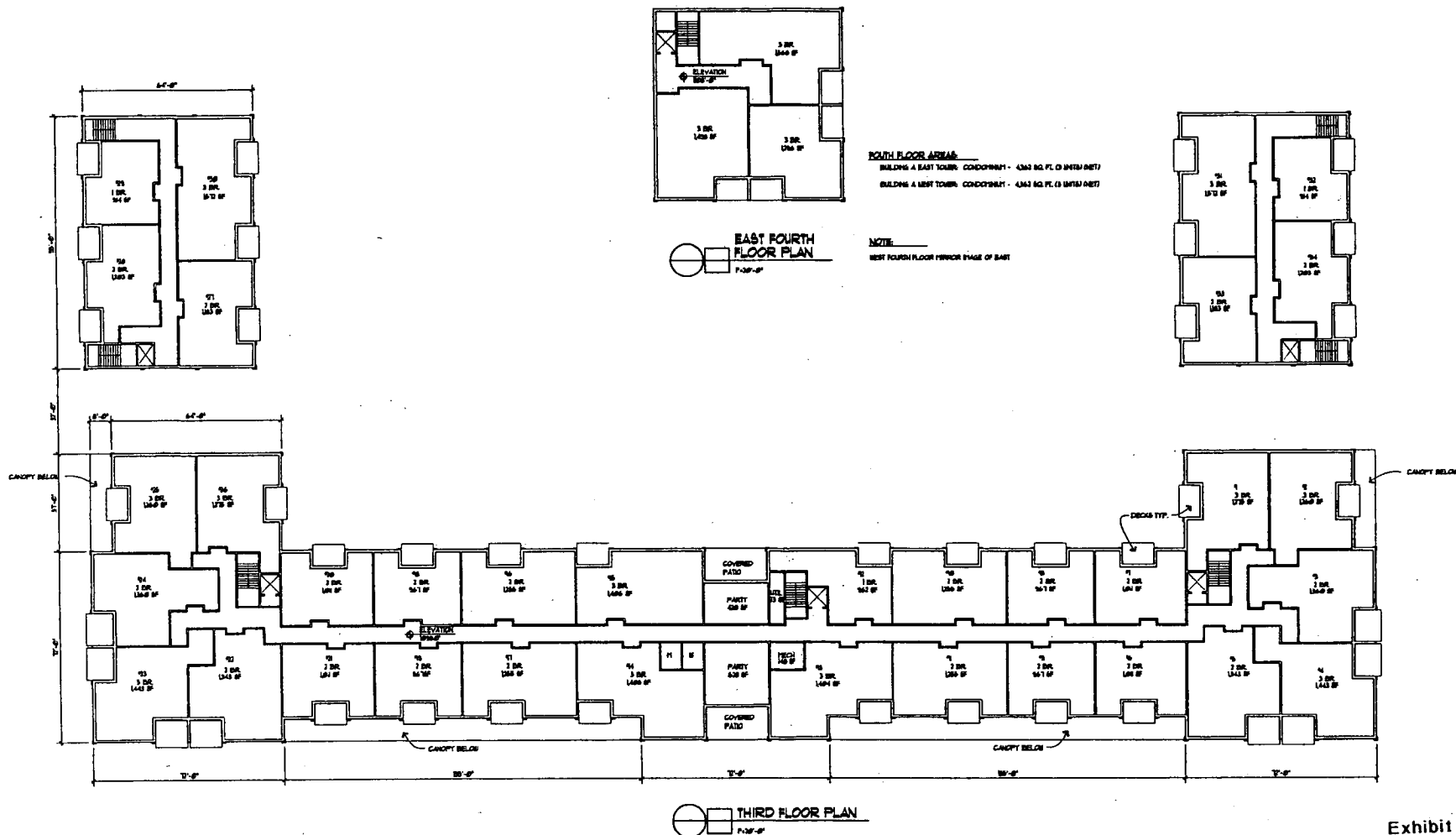
THIRD AND FOURTH  
FLOOR PLAN

ISSUE DATE: \_\_\_\_\_

KJA PROJECT # 2002

**INLET**

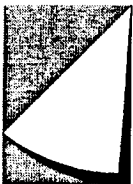
of	NUM
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**Exhibit E**

122

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**KANE AND JOHN ARCHITECTS, INC.**  
 2440 HIGHWAY 43 NORTH SUITE 1  
 ROCHESTER, MN 55906  
 PH (507) 286-1831 FAX (507) 286-1832  
 3400 UNIVERSITY AVE WEST  
 ST. PAUL, MN 55114  
 PH (651) 644-8224 FAX (651) 644-8021

**CERTIFICATION**

I hereby certify that this Plan, Spec or Report was prepared by me or my direct supervisory staff that I am duly licensed and the laws of the State of Minnesota.

Name \_\_\_\_\_ DATE \_\_\_\_\_ Lic. No. \_\_\_\_\_

**CONSULTANTS**

**REVISIONS**

Date \_\_\_\_\_ By \_\_\_\_\_  
 Drawn By: JLF  
 File Number: 200211210004  
 Plot Number: 7-107-07  
 Project Number: PD  
 Updated By: JLF

**BIGELOW ENTERPRISES**

**Harvestview Town Center**

Rochester, Minnesota

ELEVATION AND SECTION

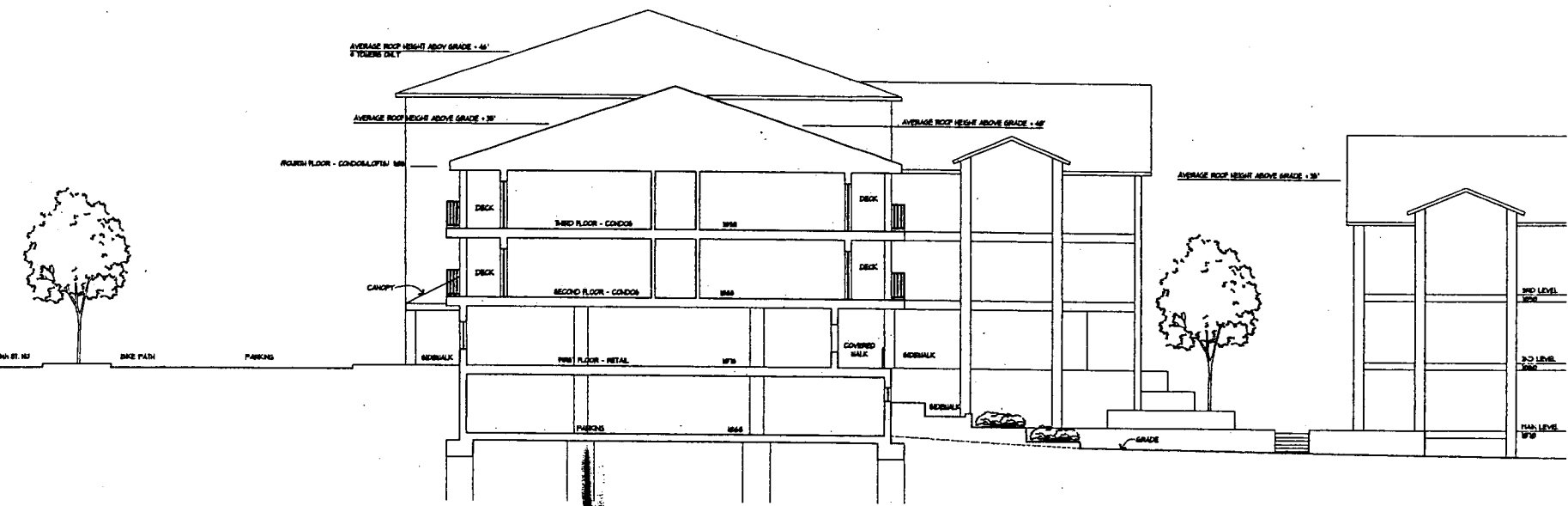
ISSUE DATE:

KJA PROJECT # 2002:

SHEET

OF NUME

Exhibit E



**SECTION**  
 SCALE: 1/4"=1'-0"